

Report Date: January 30, 2009

United States District Court

for the

Eastern District of Washington**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender***(Probation Form 49, Waiver of Hearing is Attached)*FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAN 30 2009

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Joseph Sherman Sargent

Case Number: 2:04CR00022-001

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen

Date of Original Sentence: 07/21/2004

Type of Supervision: Supervised Release

Original Offense: Possession of Child Pornography,
18 U.S.C. § 2252A(a)(5)(B)

Date Supervision Commenced: 06/08/2006

Original Sentence: Prison - 33 Months;
TSR - 120 Months

Date Supervision Expires: 06/07/2016

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 31 You shall participate in the home confinement program for 180 days. You shall abide by all the requirements of the program, which will include electronic monitoring or other location verification system. You shall pay all or part of the costs of the program based upon your ability to pay. You are restricted to your residence at all times except for employment, education, religious services, medical, substance abuse, or mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities as pre-approved by the supervising probation officer.

CAUSE

Mr. Sargent admitted to his therapist and the undersigned officer that he viewed pornography via the Internet at his place of employment during November 2008. Following his admission, the undersigned officer personally contacted the defendant's employer and was assured that safeguards had been put into place to prohibit this from occurring in the future. Following this information, a polygraph test was scheduled and administered on January 19, 2009. During the testing, Mr. Sargent admitted to viewing Hentai pornography, which depicts adults engaging in sexual acts with minors. The defendant failed to report this information to his therapist and probation officer. Subsequently, on January 27, 2009, a staffing was completed with the undersigned officer, Mr. Sargent, his sex offender therapist, and his mental health counselor. At that time, a plan of action to address this behavior was developed. Specifically, Mr. Sargent has been given assignments to complete during the sex offender therapy process, and has agreed to the above sanction to restrict his movements in the community. It was further agreed that if the defendant chooses to engage in similar behavior in the future, his placement in custody may be warranted.

Prob 12B


Re: Sargent, Joseph Sherman

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

1/30/09


Richard B. Law
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other



Signature of Judicial Officer

Jan 30 2009
Date